

# Notice of Allowability

Application No.

09/913,690

Examiner

Jaric Loving

Applicant(s)

RUMP ET AL.

Art Unit

2137

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/17/06.
2. ☒ The allowed claim(s) is/are 1,3,5-7 and 9-22.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 2/17/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### **DETAILED ACTION**

Examiner acknowledges applicant's submission of the amendment dated February 17, 2006. Claims 1-22 are pending. Claims 1, 3, 5, 7, 12, 14-15, 19, and 21 have been amended. Claims 2, 4, and 8 have been cancelled. The claims have been renumbered 1-19. Amended claim 5 has depends on claim 41, it is believed applicant intended claim 5 to depend on claim 1 and this is merely a typo. It will be treated as depending from claim 1.

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In claim 5, line 1, "41" has been replaced with --1--.

### ***Allowable Subject Matter***

1. Renumbered claims 1-19 are allowed.
2. The following is an examiner's statement of reasons for allowance:

The primary reason for allowance of claims 1, 12, 16 and 18 is the method and apparatus for generating/playing back a second data stream from a first data stream which comprises a first header and a first payload data block with payload data. The first header comprises a first supplier identification for a supplier of the first data stream and a first user identification for a receiver of the first data stream. Further, the second

header comprises a second supplier identification for a supplier of the second data stream and a second user identification for a receiver of the second data stream. None of the prior art recite a process where a data stream is generated from another data stream. The primary reference, Cannella discloses the generation of two headers in a data stream, but not in two separate data streams. The prior art of record including the disclosures neither anticipate nor render obvious the combination recited.

Claims 2-11, 13-15, 17, and 19 are allowed as including all the limitations of the allowable independent claims upon which they depend.

3. Cannella, Jr. (US 5,854,840) discloses a data transmission protocol and apparatus containing a data packet generator and generating first and second headers, the headers preceding the payload field of an output data packet. Neither header provides information as to the origin of the data stream. The data may comprise television, audio, software, usage data, or any other data.

Erickson (US 5,765,152) discloses a system and method for managing copyrighted electronic media where the system packages electronic media into a secure document format, including a data container for the media and a minimum permissions data set to specify the minimum authorizations needed to view or otherwise access the media. The document can include a document header, a document identifier, and a digital signature to authenticate the media.

Putzolu et al. (US 6,205,140) discloses a method of communicating dynamic dependencies along media streams wherein a payload data packet has a header and a stream descriptor. The descriptor is uniquely associated with a media stream.

Ryan (US 5,315,448) discloses an apparatus for copy protection using hybrid digital video tape recoding and unprotected source material. The copy protection covers both digital and analog. Anti-copy bits are detected in the digital playback video. Analog or digital source video material may be provided with a copy protection flag.

Park (US 5,761,302) discloses a method and apparatus for copy prevention in a digital video system. A header start code is used for determining whether copying is allowed. Encrypted key information is transmitted and recorded so a copied tape is only reproducible in a VCR with the corresponding encrypted key information.

Movshovich et al. (US 6,438,145) discloses a transport packet distribution system and method using a local header. A packet identifier in the digital program or elementary stream is included. A local header is created that includes the generated local packet information. A local header generation receives the unique memory address identifier, and arranges the unique memory address identifier.

Wasilewski (US 5,420,866) discloses a method for providing conditional access information to decoders in a packet-based multiplexed communications system. The conditional access information is inserted into data packets and assigned a unique packet ID.

Bestler et al. (US 5,590,202) discloses a countdown system for conditional access in subscriber units. A decryption device is used for decrypting received product packets having a packet ID contained in a data header.

litsuka et al. (US 6,463,151) discloses a data transmission method, data receiving method, data transmission system and program recording medium. Illegal copying of data is prohibited by an encryption key applied to transmitted data.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jaric Loving whose telephone number is (571) 272-1686. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 09/913,690

Page 6

Art Unit: 2137

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